

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francis X. Smith Art Unit: 1615
Serial No.: 10/544,150 Examiner: Carlos A. Azpuru
Filing Date: August 1, 2005
Title: **OPHTHALMIC AND CONTACT LENS SOLUTIONS CONTAINING
FORMS OF VITAMIN B**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. § 1.97, Applicants and their legal representatives hereby make of record the references on attached Form PTO-1449 which are known by them and considered warranting disclosure under 37 C.F.R. § 1.56. The best available copies of all the foreign references cited are submitted herewith.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

Applicants and their legal representatives believe this submission is being presented before the Examiner issued an office action on the merits and therefore, no fee is due for this submission. However, the Commissioner is authorized to charge any deficiencies or credit any excess payments to our Deposit Account No. 50-3010.

Hiscock & Barclay, LLP
2000 HSBC Plaza
Rockester, NY 14604-2404
Phone: (585) 325-7570
Fax: (585) 325-5458

05/04/01
Date

HISCOCK & BARCLAY, LLP
ELLENOR M. HYNES

Respectfully submitted,

below.

If there are any questions, please call the underlined at the telephone number indicated

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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Sheet

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of 7

Complete if Known

Application Number	10/544,150
Filing Date	August 1, 2005
First Named Inventor	Francis X. Smith
Art Unit	1615
Examiner Name	Carlos A. Azpuru
Attorney Docket Number	3009040 US01

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
1	US-1,432,345		10-17-1922	W. W. Lasker	
2	US-2,976,576		03-28-1961	O. Wichterle et al.	
3	US-3,426,576		02-16-1969	Dickinson et al.	
4	US-3,429,576		02-25-1969	Yoshaki Ikeda	
5	US-3,503,393		03-31-1970	R. E. Manley	
6	US-3,591,329		07-06-1971	Chromecek et al.	
7	US-3,689,673		09-05-1972	Phares, Jr.	
8	US-3,755,561		08-26-1973	Rankin	
9	US-3,873,696		03-25-1975	Randen et al.	
10	US-3,876,768		04-08-1976	Blank	
11	US-3,888,782		06-10-1975	Boghosian et al.	
12	US-3,910,296		10-07-1975	Karegeozian et al.	
13	US-3,911,107		10-07-1975	Krejanowski	
14	US-3,912,450		10-14-1976	Boucher	
15	US-3,943,251		03-09-1976	Madow et al.	
16	US-4,022,834		05-10-1977	Gundersen	
17	US-4,029,817		06-14-1977	Blanco et al.	
18	US-4,046,706		09-06-1977	Krejanowski	
19	US-4,136,173		01-23-1979	Pramoda et al.	
20	US-4,136,175		01-23-1979	Rideout et al.	

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Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
		Country Code ³ - Number - Kind Code ² (if known)				
21		GB 1,398,058	03-15-1973	Pharmaceutisk		
22		JP 58010517 A	01-21-1983	Santen Pharmaceutical		
23		WO 91/01763	02-21-1991	Schering Corp		
24		WO 92/04005	04-02-1992	Abraham et al.		
25		WO 92/11876	07-23-1992	Schering Corp		
26		WO 92/21049	11-26-1992	Allergan, Inc.		
27		WO 94/00160	01-06-1994	Allergan, Inc.		
28		WO 95/00176	01-06-1995	Allergan, Inc.		
29		WO 96/06603	03-07-1996	Alcon Laboratories		

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Sheet	2	of	7
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		Number - Kind Code ² (if known)			
30	US- 4,136,534		01-30-1979	Villa	
31	US- 4,209,817		06-24-1980	McGinnis	
32	US- 4,354,952		10-19-1982	Reidhammar et al.	
33	US- 4,361,458		11-30-1982	Grajek et al.	
34	US- 4,361,548		11-30-1982	Smith et al.	
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36	US- 4,394,381		07-19-1983	Sherrell	
37	US- 4,439,417		03-27-1985	Matsunaga et al.	
38	US- 4,625,346		06-25-1985	Stark	
39	US- 4,599,560		07-08-1986	Fukami et al.	
40	US- 4,748,189		05-31-1988	Su et al.	
41	US- 4,756,596		07-19-1988	Oguribyl et al.	
42	US- 4,783,488		11-08-1988	Oguribyl et al.	
43	US- 4,820,352		04-11-1989	Reichammer et al.	
44	US- 4,826,879		05-02-1989	Yamamoto et al.	
45	US- Re 32,672		05-24-1988	Huth et al.	
46	US- 4,836,986		06-06-1989	Oguribyl et al.	
47	US- 4,863,930		09-05-1989	Pollock et al.	
48	US- 4,891,423		01-02-1990	Stockel	
49	US- 4,804,454		01-16-1990	Paradies	

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Examiner Initials*	Cite No.*	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ⁴ - Number ⁵ - Kind Code ⁶ (if known)				
50		WO 9/34834	09-25-1997	Bio-Lab, Inc.		
51		WO 0/24125	11-06-1997	Novo Nordisk A/S		
52		EP 0 812 592 A1	12-17-1997	Kikkoman Corp		
53		JP 10-108899	04-26-1998	Tomey Technol Corp		T
54		RU 212/100	03-10-1999	Borzenko et al.		T
55		WO 99/23867	06-20-1999	Novo Nordisk A/S		
56		WO 99/37295	07-29-1999	Devillez et al.		
57		JP 2000016965 A	01-16-2000	Mitsubishi Gas		
68		WO 00/07634	02-17-2000	NDT, Inc		

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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/544,150
(Use as many sheets as necessary)		Filing Date	August 1, 2005
Sheet	3	First Named Inventor	Francis X. Smith
	of 7	Art Unit	1615
		Examiner Name	Carlos A. Azpuru
		Attorney Docket Number	3009040 US01

U.S. PATENT DOCUMENTS

SEARCHED PATENT DOCUMENTS				
Examiner Initials *	Case No. *	Document Number Number - Kind Code* (if Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	59	US-4,988,110	01-29-1991	Olney
	60	US-4,997,626	03-05-1991	Dzlabo et al.
	61	US-5,030,721	07-09-1991	Kasai et al.
	62	US-5,079,908	01-07-1992	Ripley et al.
	63	US-5,089,261	02-15-1992	Nitecki et al.
	64	US-5,122,354	06-16-1992	Tsujii et al.
	65	US-5,174,572	12-29-1992	Scott
	66	US-5,175,161	12-29-1992	Yokoyama et al.
	67	US-5,182,258	01-26-1993	Chiou
	68	US-5,192,535	03-09-1993	Davis et al.
	69	US-5,279,673	01-18-1994	Dzlabo et al.
	70	US-5,300,296	04-05-1994	Holly et al.
	71	US-5,306,440	04-20-1994	Ripley et al.
	72	US-5,361,287	11-01-1994	Williamson
	73	US-5,360,303	01-10-1995	Holly et al.
	74	US-5,430,572	08-08-1995	Parkow
	75	US-5,449,658	09-12-1995	Unhoch et al.
	76	US-5,494,937	02-27-1996	Ashghanian et al.
	77	US-5,547,990	08-20-1996	Hall et al.
	78	US-5,591,773	01-07-1997	Grunberger et al.

FOREIGN PATENT DOCUMENTS

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	81	US- 5,607,881	03-04-1997	Galley et al.	
	82	US- 5,624,958	04-29-1997	Isaacs et al.	
	83	US- 6,550,862	06-26-1997	Park et al.	
	84	US- 5,681,130	08-26-1997	Meezan et al.	
	85	US- 5,674,450	10-07-1997	Lin et al.	
	86	US- 5,691,379	11-25-1997	Ulrich et al.	
	87	US- 5,716,895	02-17-1998	Ashghan et al.	
	88	US- 5,719,110	02-17-1998	Cook	
	89	US- 5,741,817	04-21-1998	Chowhan et al.	
	90	US- 5,770,382	06-23-1998	von Borstel et al.	
	91	US- 5,780,150	07-14-1998	Shade	
	92	US- 5,807,585	09-15-1998	Martin et al	
	93	US- 5,811,446	09-22-1998	Thomas	
	94	US- 5,854,303	12-29-1998	Powell et al.	
	95	US- 5,869,468	02-09-1999	Freeman	
	96	US- 5,888,950	03-30-1999	Potni et al	
	97	US- 5,891,733	04-06-1999	Inoue	
	98	US- 5,925,317	07-20-1999	Rogalsky et al.	
	99	US- 5,925,371	07-20-1999	Ishiwatari	
	100	US- 5,942,218	08-24-1999	Kirschner et al.	

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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		<p>Complete if Known</p> <table> <tr> <td>Application Number</td> <td>10/544,150</td> </tr> <tr> <td>Filing Date</td> <td>August 1, 2005</td> </tr> <tr> <td>First Named Inventor</td> <td>Francis X. Smith</td> </tr> <tr> <td>Art Unit</td> <td>1615</td> </tr> <tr> <td>Examiner Name</td> <td>Carlos A. Azpuru</td> </tr> <tr> <td>Attorney Docket Number</td> <td>3009040 US01</td> </tr> </table>		Application Number	10/544,150	Filing Date	August 1, 2005	First Named Inventor	Francis X. Smith	Art Unit	1615	Examiner Name	Carlos A. Azpuru	Attorney Docket Number	3009040 US01
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	101	US- 5,945,446	08-31-1999	Laub	
	102	US- 5,925,320	09-14-1999	Davidson et al	
	103	US- 5,965,738	10-12-1999	Akhavan-Tafti	
	104	US- 5,965,904	10-19-1999	Julian et al.	
	105	US- 6,001,805	12-14-1999	Jaynes et al.	
	106	US- 6,008,195	12-28-1999	Selsied	
	107	US- 6,022,732	02-08-2000	Bakhit et al	
	108	US- 6,056,920	05-02-2000	Lepre	
	109	US- 6,117,869	09-12-2000	Picard et al.	
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	117	US- 6,300,590 B1	10-30-2001	Xia et al.	
	118	US- 6,306,658 B1	10-30-2001	Xia et al	
	119	US- 6,432,693 B1	08-13-2002	Doi et al.	
	120	US- 6,617,291 B1	09-06-2003	Smith	

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	124	BALLWEBER et al., "In Vitro Microbiological Activities of Cecropin Peptides D2A21 and D4E1 and Gel Formulations Containing 0.1 to 2% D2A21 against <i>Chlamydia trachomatis</i> ", Antimicrobial Agents and Chemotherapy, Jan. 2002, pp 34-41, Vol. 46, No. 1	
	125	CREIGHTON, THOMAS E., "Proteins Structures and Molecular Properties", W.H. Freeman & Co., New York, 1984, pp 179-182	
	126	DE LUCCA et al., "Fungicidal Properties, sterol binding, and proteolytic resistance of the synthetic peptide D4E1", Canadian Journal of Microbiology, June 1988, pp 514-520, Vol. 44, No. 6	
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